IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO.364/2006

Office Notes, Office Memoranda of Coram, : Appearances, Court's orders or directions : Court's or Judge's orders and Registrar's orders.

Mr. R.M.Daga, Advocate, for the Petitioner.
Mr. S.B. Ahirkar, Advocate, for the Respondent.

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Coram : K. J. ROHEE, J.
Dated : AUGUST 17, 2006.

Heard the learned counsel for the parties.

2. It is submitted by the learned counsel for the respondent/CBI that there is only one Special Public Prosecutor for the entire Vidarbha Region and hence it goes very difficult for him to attend the cases in all the Courts.

3. Whatever it might be, it is for the respondent to see that adequate number of Public Prosecutors are appointed so that the prosecution should not be dragged for years together.

4. It may be noted that the prosecution in the present case was launched as back as in the year 1999. It is submitted by the learned counsel for the petitioner that the charges have been framed and even the case was fixed for evidence on three occasions but the trial could not proceed for the

absence of Public Prosecutor. It is very unfortunate that the prosecutions are dragged on for years together due to the absence of Public Prosecutor. Hence I think it expedient to give certain direction to the trial Court.

5. The writ petition is allowed. The Special Court for C.B.I. Nagpur is directed to decide Special Case No. 2/99 (Old) i.e. 57/2003 (new) within six months positively from the date of communication of this order.

JUDGE

halwai.